REMARKS

Claims 1-9, 11-12, 14, and 18-19 were previously cancelled.

Claim 10 is amended. Support for the amendment to claim 10 is found in original claims 1 and 4 and pages 4, lines 24-25, page 5, lines 30-34, and page 6, lines 10-15. Claims 13, 15, 16, and 17 were previously presented and currently pending. However, claim 17 is withdrawn from consideration, as being directed to the non-elected invention. Upon allowance of the elected claims, rejoinder of this claim is again requested (MPEP § 821.04).

The present invention is directed to a process for preparing a sheet for a crosslinked polyolefin film expanded in an ***unidirectional expansion*** only in its thickness, comprising surface-crosslinking both faces of an unsupported intermediate polyolefin sheet to be expanded so that its degree of surface crosslinking is different from its core, these spaces being perpendicular of expansion, and expanding and crosslinking the so formed sheet only in its thickness.

The rejections of claims 10, 13, 15, and 16 under 35 U.S.C. § 112, first paragraph, in view of the written description requirement, and second paragraph, as being indefinite is traversed.

Applicants have amended claim 10 to read "unidirectional expansion" rather than "essentially unidirectional expansion. It is noted that there is adequate support in the Specification for the meaning of the term "unidirectional expansion."

The aspect of the claimed invention that is novel and unobvious over the cited references (see below) pertains to the fact that the crosslinked intermediate olefin product can be expanded in a unidirectional manner such that expansion of a sheet of a surface-crosslinked intermediate product occurs in its thickness **only**, i.e., facial expansion of the spaces sheet is suppressed.

The Office dismissed the novel and unobvious characteristics of the invention when the term "essentially" was present; in essence, because the Office believes that there is no clear indication what "essentially unidirectional expansion" means. Applicants continue to maintain that there is adequate support for this phrase in the specification. Applicants pointed the Office's attention to the portions of the Specification that support this term in the Request for Reconsideration filed August 24, 2004. However, for the sake of furthering prosecution of the present application, Applicants have amended the claims as noted above. It is believed that the characterizing feature of "unidirectional expansion" is supported by the Specification, as originally filed, and that one of ordinary skill would know that this means expansion in one direction, in particular, a direction perpendicular to its width.

Accordingly, the rejections of Claims 10, 13, 15, and 16 under 35 U.S.C. § 112, first paragraph, in view of the written description requirement, and second paragraph, should be withdrawn. It is kindly requested that the Examiner acknowledge the same and withdraw these rejections.

Amended claim 10 reads as follows:

> A process for preparing a sheet of a crosslinked polyolefin foam expanded in an ~~essentially~~ unidirectional expansion only in its thickness, comprising surface-crosslinking both faces of an unsupported intermediate polyolefin sheet to be expanded so that its degree of surface crosslinking is different from its core, these faces being perpendicular to the direction of expansion, and expanding and crosslinking the so formed sheet only in its thickness.

This claim, when read in view of the Specification (see page 4, lines 17-25; page 5, lines 15-24; and page 5, lines 24-29) is definite and satisfies the written description.

It is kindly requested that the Examiner acknowledge the same and withdraw this rejection.

Furthermore, the rejection of Claims 10, 13, 15, and 16 under 35 U.S.C. § 112, first paragraph – enablement, is traversed.

Applicants note that the rejection is no longer sustainable in view of the amendment to the claims, and in view of the relevant passages in the MPEP.

For example, MPEP § 2164.01 states that "the standard for determining whether the specification meets the enablement requirement...[lies in an answer to the following question:] is the experimentation needed to practice the invention undue or unreasonable?" The operative term in the overall analysis of lack of enablement is "undue experimentation." This does not preclude routine experimentation or screening (In re Wands, 737, 8 USPQ2d 1400).

Additionally, MPEP § 2164.04 which states that "the examiner has the initial burden to establish a reasonable basis to question the enablement provided for the claimed invention. *In re Wright*, 999 F.2d 1557, 1562, 27 USPQ2d 1510, 1513 (Fed. Cir. 1993) (examiner must provide a reasonable explanation as to why the scope of protection provided by a claim is not adequately enabled by the disclosure)." That is, the claims are enabled unless the Office is able to provide a reasonable basis proving otherwise.

Applicants state that the process for preparing a sheet of a crosslinked polyolefin foam expanded in an unidirectional expansion only in its thickness is enabling.

Consequently, it is kindly requested that the Examiner withdraw this rejection and deem amended claim 10 to be free of this rejection.

The rejection of Claims 10 and 15 under 35 U.S.C. § 102(b), as being anticipated by Tsujimoto is traversed.

Tsujimoto does not describe unidirectional expansion as presently claimed.

Tsujimoto's expansion occurs both in the thickness and the width of the film. Thus, Tsujimoto's expansion is not unidirectional. The Examiner's attention is directed to paragraphs [0030] and [0031], in which the extruded product has a thickness of 3 mm and a width of 450 mm prior to expansion; but subsequent to expansion the thickness of the sheet is

7 mm and the width is 800 mm. Thus, Tsujimoto describes a process in which there is a 133% ($=\left(\frac{7mm}{3mm}-1\right)x100$) increase in the thickness and a 78% ($=\left(\frac{800mm}{450mm}-1\right)x100$) increase in the width upon expansion of Tsujimoto's foam, which corresponds to a 30-fold foaming expansion (p. 10; [0031]).

Since Tsujimoto does not describe unidirectional expansion, Tsujimoto does not anticipate the claimed invention.

Moreover, the rejection of Claim 13 under 35 U.S.C. § 103(a) as being unpatentable over Tsujimoto in view of Hitchcock (U.S. Patent 5,087,395) is traversed.

As noted above, Tsujimoto does not describe a method for expanding a polyolefin foam in a unidirectional manner. Furthermore, Hitchcock does not describe unidirectional expansion. Thus, the combined references do not describe or suggest expanding in a unidirectional manner. In fact, Hitchcock's foaming method results in a similar 30-fold expansion (col. 5, ll 55-60); as described Tsujimoto. The two combined references do not describe or suggest a method that would allow one of ordinary skill to achieve expanding foam in a unidirectional manner. Therefore, it is requested that the Examiner withdraw this rejection.

The rejection of Claim 16 under 35 U.S.C. § 103(a) as being unpatentable over Tsujimoto in view of Hurley (U.S. Patent 5,883,145) is traversed.

It is noted that the combined references do not describe a method wherein polyolefin foam is expanded in a unidirectional manner. Like Tsujimoto and Hitchcock, Hurley does not describe a method for unidirectional expansion of a foam. The Examiner's attention is directed to Hurley's Example 1 (col. 14, ll. 25-26 and 46); wherein expansion of a 9" wide by 0.069" thick sheet results in an expanded product whose width is 20" and whose thickness is

0.150". This is not unidirectional expansion in the thickness alone. Thus, it is requested that the Examiner withdraw this rejection.

In view of the above, it is believed that the claims are in a condition for allowance. An early and favorable indication is earnestly requested.

Respectfully submitted,

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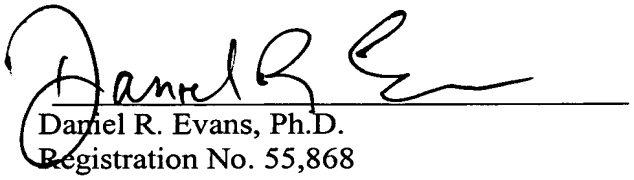

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